

**MUNICIPAL SERVICES PLAN
FOR PROPERTY TO BE
ANNEXED INTO THE CITY OF LEANDER**

WHEREAS, the City of Leander, Texas (the “City”) intends to institute annexation proceedings for a tract of land described more fully hereinafter (referred to herein as the “subject property”);

WHEREAS, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

WHEREAS, the subject property is included in the municipal annexation plan;

WHEREAS, infrastructure provided for herein and that are existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

NOW, THEREFORE, the following services will be provided for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the City fire fighting force and the volunteer fire fighting force within the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City. Residential customers using the services of a privately owned solid waste management service provider other than the City’s contracted service provider may continue to use such services until the second anniversary of the annexation.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "SFR-1-B" with the intent to rezone the subject property upon request of the landowner or staff. Notwithstanding the foregoing, the Planning & Zoning Commission and the City Council will consider permanent rezoning of the subject property to run concurrently with the annexation process. As a result of negotiations with City staff and representatives of the subject property, City staff intends to recommend for consideration by the Planning and Zoning Commission and the City Council to zone the residential lots within the subject property as SFE-2-B (single family estate) while continuing to allow, for a period of 10 years from the effective date of the annexation, the placement of manufactured homes on residential lots within the subject property in compliance with the City's SFU/MH zoning district and related building codes. Upon the placement of a new manufactured home, compliant skirting shall be installed within 180 days. Above ground propane tank usage within the subject property existing at the time of annexation, to include subsequent replacement tanks, shall be permitted for up to 10 years after annexation. Additionally, on the effective date of the annexation, the City intends to document all non-conforming uses within the subject property. Property owners and residents within the subject property shall report all legal, non-conforming uses within the subject property at the time of annexation. Notwithstanding paragraph 5 below, such legal, non-conforming uses shall be allowed to continue beyond the 10 year term detailed therein. Chicken coops existing at the time of the annexation shall not be required to adhere to the City's distance requirements in relation to residential structures. In an effort to gain voluntary compliance with the City's property maintenance regulations, the City's code enforcement department agrees to provide warning notices for up to 180 days after the annexation for violations of junk, trash and debris within the subject property.

(2) **Scheduled Municipal Services.** The following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) The subject property currently receives water service from City's system. New requests for service shall be in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject property's owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject property as required in City ordinances. Upon acceptance of the water lines within the subject property and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. Subject to the terms contained herein, the City will perform upgrades to the water system to provide fire flow to the annexed area that is the same as similar, large lot subdivisions in the City. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject property's owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) Residential homes and businesses within the subject property are currently using on-site sewer facilities and therefore have service. If connected to the City's wastewater utility system, the subject property's owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject property as required in City ordinances. Upon acceptance of the wastewater lines within the subject property and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of on-site sewer facility that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner

requests and is able to connect to the City's wastewater utility system. At such time an existing on-site sewer facility fails or must be replaced in compliance with Williamson County or City Health District standards or other applicable regulations, and connection to the City's wastewater system is available, connection to the City's wastewater system shall be required.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, including the repair and return in similar or better condition of roadways disturbed during infrastructure improvements and upgrades, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards, to include the consideration of the placement of traffic control signs at the intersections of Falcon Oaks and Red Hawk, Falcon Oaks and Peregrine, Eagles Way and Red Hawk, and Eagles Way and Peregrine; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City and to include, but not limited to, new street lighting at the intersections of Falcon Oaks and Bagdad and Eagles Way and Bagdad;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(iv) In addition to the services listed above, the City will provide full municipal services to the subject property commensurate with the levels of services provided in other parts of the City except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service, no later than two and one-half (2-½) years after the effective date of the full-purpose annexation. If full municipal services cannot be reasonably provided within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation. “Full municipal services” are services provided by the City within its full-purpose boundaries, excluding gas or electrical service. The City shall provide the services by and of the methods by which it extends the services to any other area of the City.

(3) **Capital Improvements.** The City will initiate acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the subject property. Any such construction shall be substantially completed within two and one-half (2-½) years after the effective date of the full-purpose annexation. If capital improvements necessary for providing full municipal services for the subject property cannot be reasonably constructed within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years. Any such construction of capital improvements shall be accomplished in a continuous process and shall be completed as soon as reasonably possible, consistent with generally accepted local engineering and architectural standards and practices.

(4) **Impact Fees.** Notwithstanding any other provision of this service plan, a landowner within the subject property will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code governing impact fees, unless otherwise agreed to by the landowner.

(5) **Term.** If not previously expired, this service plan expires at the end of ten (10) years. A resident or landowner of the subject property may enforce this municipal services plan in accordance with *Section 43.056(l), Loc. Gov't. Code* and shall be entitled to all rights and remedies as provided therein.

(6) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Service Plan is attached.